

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

GUY WATKINS,	§	
Plaintiff,	§	
	§	
v.	§	
	§	
	§	CIVIL ACTION NO. A-10-CA-110 (RP)
SANTIAGO TORRES, ANDREW MICHAEL,	§	
PAUL RHODES, SAM HOLT, HUBERT	§	
ACEVEDO, INDIVIDUALLY AND AS	§	
OFFICERS IN THE AUSTIN POLICE	§	
DEPARTMENT, AUSTIN POLICE	§	
DEPARTMENT AND THE CITY OF AUSTIN	§	
Defendants.	§	

JOINT STIPULATED FACTS

TO THE HONORABLE JUDGE ANDREW AUSTIN:

Plaintiff Guy Watkins and Defendants Andrew Michael and Santiago Torres file their
Joint Stipulated Facts as follows:

1. At the time of the incident made the basis of this lawsuit, Plaintiff was a licensed Texas peace officer with over ten years' experience.
2. At the time of the incident made the basis of this lawsuit, Defendant Michael was a licensed Texas peace officer with over eleven years' experience.
3. At the time of the incident made the basis of this lawsuit, Defendant Torres was a licensed Texas peace officer with over six years' experience.
4. At the time of the incident made the basis of this lawsuit, Plaintiff held the rank of Senior Police Officer of the Austin Police Department.
5. At the time of the incident made the basis of this lawsuit, Defendant Torres held the rank of Senior Police Officer of the Austin Police Department.
6. At the time of the incident made the basis of this lawsuit, Defendant Michael held the rank of Sergeant of the Austin Police Department.

7. At the time of the incident made the basis of this lawsuit, Defendants Michael and Torres were acting in their official capacities as officials of the Austin Police Department.
8. At the time of the incident made the basis of this lawsuit, Defendants Michael and Torres were acting under color of state law.
9. During the early morning of February 17, 2008, Defendants Michael, Torres and other APD officers responded to Plaintiff's residence as a result of a 9-1-1 call.
10. During the course of and incident to the call to Plaintiff's residence, Defendants Michael, Torres and other APD officers entered Plaintiff's residence.
11. Defendants Michael and Torres did not have a search warrant to enter Plaintiff's residence.
12. During the course of and incident to the call to Plaintiff's residence, APD Officer Ziebel took photographs.
13. Neither Defendants nor any other APD officer caused physical injury to Plaintiff or anyone at his residence during the call.
14. Neither Defendants nor any other APD officer caused property damage to Plaintiff's residence during the call.

RESPECTFULLY SUBMITTED,

KAREN KENNARD, CITY ATTORNEY

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